



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on February 26, 2013.

Date of Meeting: June 12, 2012

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:37 p.m., on Tuesday, June 12, 2012, all members having been notified of the time and place thereof.

1. **ROLL CALL**

The meeting was called to order by Mayor Rothschild and upon roll call, those present and absent were:

Present:

Regina Romero
Paul Cunningham
Karin Uhlich
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Vice Mayor, Council Member Ward 6
Mayor

Absent/Excused:

None

Staff Members Present:

Richard Miranda
Michael Rankin
Deborah Rainone

City Manager
City Attorney
Chief Deputy City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor John W. Miller, Northwest Bible Church, after which the Pledge of Allegiance was presented by the entire assembly.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 234, dated June 12, 2012, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Council Members Romero, Cunningham, Uhlich, and Fimbres. A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager's communication number 235, dated June 12, 2012, was received into and made part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Current event report was given by Richard Miranda, City Manager. A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager's communication number 236, dated June 12, 2012, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Application(s)

New License(s)

NOTE: There are no application(s) for licenses scheduled for this meeting.

Person Transfer

NOTE: There are no application(s) for person transfers scheduled for this meeting.

- c. Special Event(s)

NOTE: There are no application(s) for special events scheduled for this meeting.

- d. Agent Change/Acquisition of Control

NOTE: There are no application(s) for agent changes scheduled for this meeting.

6. CALL TO THE AUDIENCE

Mayor Rothschild announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Rothschild also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “call to the audience.”

Comments were made by:

Keith Van Heyningen	Roy Warden	Ken Scoville
David Cobb	Yvonne C. Tellez	Raging Grannies
Ken Johnson	Robert Reus	Phil Lopes
John Kromko	Paul Winger	

Council Member Uhlich requested that staff provide Ms. Tellez with meeting materials for the June 19th Mayor and Council meeting in regards to Parkwise.

A recording of this item will be available from the City Clerk’s Office for ten years from the date of this meeting.

7. CONSENT AGENDA – ITEMS A THROUGH G

Mayor Rothschild announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. He asked the City Clerk to read the Consent Agenda.

- a. APPROVAL OF MINUTES

- 1. Report from City Manager JUN12-12-237 CITY WIDE
- 2. Mayor and Council Regular Meeting Minutes of January 18, 2012

- b. TUCSON CODE: AMENDING (CHAPTER 22) ARTICLE IV GROUP INSURANCE AND MEDICAL HEALTH PLANS AND ARTICLE V LEAVE BENEFIT PLAN
 - 1. Report from City Manager JUN12-12-242 CITY WIDE
 - 2. Ordinance No. 10991 relating to leave and other benefits; the Tucson Code, Chapter 22, Pensions, Retirement, Group Insurance, Leave Benefits and other Insurance Benefits, Article IV, Group Insurance and medical Health Plans, amending Section 22-86 Medical insurance incentive allowance; Article V, Leave Benefit Plan, Section 22-95 Sick leave incentive program providing for incentive payment and personal leave days; amending Section 22-95 subsections (a) through (e) and declaring an emergency.
- c. REAL PROPERTY: VACATION AND SALE OF BEAN AVENUE RIGHT OF WAY
 - 1. Report from City Manager JUN12-12-245 WARD 6
 - 2. Ordinance No. 10994 relating to real property; vacating and declaring the Bean Avenue Right of Way between Ninth Street and Tenth Street to be surplus property; authorizing the sale thereof to the Junction at Iron Horse LLC; and declaring an emergency.
- d. GRANT APPLICATION: TO THE GILA RIVER INDIAN COMMUNITY IN SUPPORT OF THE ARIZONA STATE MUSEUM'S WOVEN WONDERS AMERICAN INDIAN BASKETRY PRESERVATION PROJECT
 - 1. Report from City Manager JUN12-12-243 CITY WIDE
 - 2. Resolution No. 21914 relating to Finance; authorizing and approving a Grant Application to the Gila River Indian Community in support of the Arizona State Museum and disbursement of gaming monies; and declaring an emergency.
- e. TUCSON CODE: AMENDING (CHAPTER 28) REGARDING THE LOCAL PROCUREMENT PREFERENCE AND THE SMALL BUSINESS ENTERPRISE
 - 1. Report from City Manager JUN12-12-244 CITY WIDE

2. Ordinance No. 10992 relating to Procurement of General Goods and Services by the City; amending Chapter 28 of the Tucson Procurement Code by adding Section 28-39 providing for a bid price preference in the competitive solicitation process for local businesses within the Tucson metropolitan area and within the State of Arizona; and declaring an emergency.
 3. Ordinance No. 10993 relating to procurement of General Goods and Services by the City; amending Article XIII of Chapter 28 of the Tucson Code; establishing the Small Business Enterprise Program; and declaring an emergency.
- f. MAYOR AND COUNCIL: LETTER OF SUPPORT FOR THE CANYON RANCH INSTITUTE AND EL RIO COMMUNITY HEALTH CENTER SUBMISSION OF GRANT APPLICATION (CONTINUED FROM THE MEETING OF JUNE 5, 2012)
1. Report from City Manager JUN12-12-246 WARD 5
 2. Resolution No. 21911 relating to Parks and Recreation; expressing support for the Canyon Ranch Institute and El Rio Community Health Center submission of Grant Application; and declaring an emergency.
- g. BOARDS, COMMITTEES AND COMMISSIONS: EXTENDING THE TERM OF SERVICE FOR THE KOLB/SABINO CANYON ROAD CONNECTION TASK FORCE (CONTINUED FROM THE MEETING OF JUNE 5, 2012)
1. Report from City Manager JUN12-12-247 WARD 2
 2. Resolution No. 21915 relating to Boards and Commissions; extending the term of service for the Kolb/Sabino Canyon Road Connection Task Force for three additional years, to August 5, 2014; and declaring an emergency.

It was moved by Vice Mayor Kozachik, duly seconded, and passed by a roll call vote of 7 to 0, that Consent Agenda Items a – g be passed and adopted and the proper action taken.

8. ZONING: (SE-04-13) UNIVERSITY MEDICAL CENTER CORPORATION - CAMPBELL AVENUE, PAD-11 ZONE, WIRELESS COMMUNICATION FACILITY, SPECIAL EXCEPTION LAND USE, CHANGE OF CONDITIONS, ORDINANCE ADOPTION AND AMENDING ORDINANCE 10744

Mayor Rothschild announced City Manager's communication number 241, dated June 12, 2012, was received into and made part of the record. He announced this was a request to amend condition "D" of Ordinance 10744 for an existing wireless communication facility, approved as a special exception land use on property located on

the north side of Allen Road, east of Campbell Avenue. He asked the City Clerk to read Ordinance 10990 by number and title only.

Ordinance No. 10990 relating to zoning; a special exception land use - temporary wireless communications facility use - SE-04-13 University Medical Center Corporation - Campbell Avenue; Amending Ordinance 10744 condition "D" for a temporary 75-foot tall monopole with ground equipment in the PAD-11 zone - case SE-04-13; and setting an effective date.

It was moved by Council Member Uhlich, duly seconded, and passed by a roll call vote of 7 to 0, to approve the change of condition and to pass and adopt Ordinance 10990.

9. **MEMORIAL: SUPPORTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD AND OVERRIDE THE UNITED STATES SUPREME COURT'S DECISION IN CITIZENS UNITED V. THE FEDERAL ELECTION COMMISSION**

Mayor Rothschild announced City Manager's communication number 248, dated June 12, 2012, was received into and made part of the record. He asked the City Clerk to read the Memorial by title only.

A Memorial relating to Elections; declaring support for an amendment to the United States Constitution to abolish corporate personhood and override the United States Supreme Court's decision in *Citizens United v. the Federal Election Commission*.

Council Member Uhlich affirmed her collaboration with Council Members Fimbres and Romero on the Memorial. She began to explain her opinion on clean elections and spoke of the partnership with the Arizona Advocacy Network. She stated the memorial was about the values held by Tucson and claimed that the people of the United States were protected when it came to the elections system. She stated she was proud to move to pass the memorial and hoped to find unanimous support.

It was moved by Council Member Uhlich, duly seconded, to approve and pass the Memorial in support of an amendment to the United States Constitution to abolish corporate personhood and override the United States Supreme Court's decision in *Citizens United v. The Federal Election Commission*

Mayor Rothschild asked if there was any discussion.

Council Member Romero spoke about the costs of other campaigns and stated that the city and the leaders of the City of Tucson needed to make a stand to represent the interests of the citizens. She stated she was very happy to support the memorial and was proud to be part of hundreds of cities that had already moved to amend.

Council Member Fimbres asked if he could read the following into the record:

“This year marks the 225th anniversary of the adoption of the U.S. Constitution, for which the Preamble begins: ‘We the People of the United States...’ Thanks to the work of the people who drafted this document, as well as the people in the State legislatures, the Constitution had been approved and went into effect in 1789.

By 1790, all thirteen states had ratified the Constitution and then more states were formed, thanks to the people who moved to these territories and worked to become part of the United States of America.

By 1959, this nation had 50 states, all with people working together, and in their states, to establish justice, insure domestic tranquility, provide for the common defense, and promote the general welfare, as the Preamble to the Constitution states.

By 1985, the City of Tucson, through a vote of the people, established a public matching fund system for their elections, and now in its fourth decade, has continued to flourish, with more cities and states following suit.

By now there is the Citizens United case and ruling. This action by the Mayor and Council will reaffirm the 1985 vote, as well as Tucson speaking out and standing up for the Preamble of the U.S. Constitution, which begins, ‘We the People,’ and not ‘We the Corporation.’”

The Memorial was passed by a roll call vote of 7 to 0.

10. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager’s communication number 238, dated June 12, 2012, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Cunningham, duly seconded, and carried by a voice vote of 7 to 0, to approve the reappointment of Gayle Brickert-Albrecht to the Tucson Commission on Gay, Lesbian, Bisexual, and Transgender Issues (GLBT).

Mayor Rothschild asked if there were any personal appointments to be made.

Council Member Romero announced her personal appointment of Naomi McIsaac to the Tucson-Pima County Bicycle Advisory Committee (TPCBAC).

11. ADJOURNMENT: 6:36 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, June 19, 2012, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 12th day of June 2012, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:arf:tf